

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

IN RE:)	CHAPTER 7
)	
NIJAERI K. HENRY)	Case No. 12-71257
Debtor.)	
)	
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NIJAERI K. HENRY)	
Plaintiff,)	
)	
v.)	Adversary Proceeding No. 12-07044
)	
WELLS FARGO BANK N.A.)	
AMERICAN EDUCATION SERVICES)	
DIRECT LOANS)	
DEVRY UNIVERSITY)	
GRAND CANYON UNIVERSITY)	
STATE OF COLORADO,)	
DEPARTMENT OF HIGHER)	
EDUCATION, d/b/a)	
COLLEGE ASSIST)	
Defendants.)	
)	

ORDER

The Debtor filed a complaint on July 19, 2012, seeking to discharge her student loan obligations to Wells Fargo Bank, Nelnet, American Education Services, Direct Loans, DeVry University, and Grand Canyon University. On August 31, 2012, American Education Services filed an Answer, a Motion to Dismiss and a Motion for Summary Judgment. By Order entered September 7, 2012, the State of Colorado, Department of Higher Education, Colorado Student Loan Program d/b/a College Assist was substituted in place of Nelnet. A hearing was held on September 10, 2012, where the Debtor requested a continuance in order to seek the aid of counsel. By Order entered September 11, 2012, the matter was continued to October 11, 2012 at 2:00 p.m. College Assist filed an Answer on September 14, 2012. On September 28, 2012,

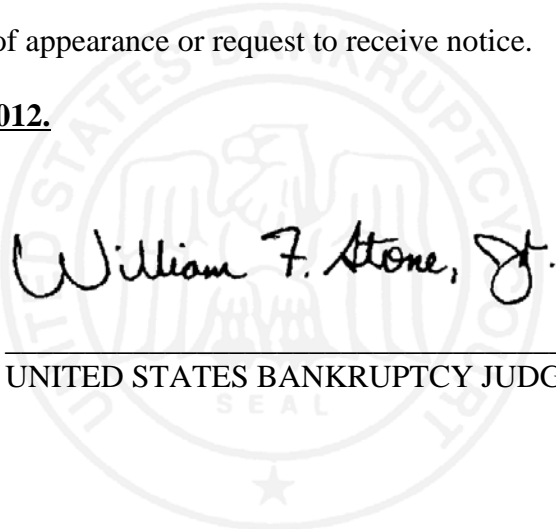
Educational Credit Management Corporation (“ECMC”) filed a Motion to Intervene as a Party Defendant and an Answer. On October 3, 2012, the Debtor filed a letter requesting that her Complaint be withdrawn. A hearing was held on October 11, 2012. The Debtor did not appear at the scheduled hearing due to illness, but all Defendants present at the hearing did not oppose dismissal of the Complaint without prejudice. Accordingly, it is hereby

ORDERED

that the Debtor’s Complaint is DISMISSED without prejudice. It is further ORDERED that ECMC’s Motion to Intervene is DISMISSED without prejudice. Once this Order has become final, the Clerk is directed to close this proceeding.

The Clerk is directed to send copies of this Order to the Debtor, Wells Fargo Bank, counsel for American Education Services, Direct Loans, DeVry University, Grand Canyon University, counsel for College Assist, counsel for ECMC, Thomas L. Eckert, the Chapter 7 Trustee, the Office of the United States Trustee for the Western District of Virginia, and any other party having filed in the case a notice of appearance or request to receive notice.

This 12th day of October, 2012.


William F. Stone, Jr.

UNITED STATES BANKRUPTCY JUDGE